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Attorneys for PennyMac Loan Services, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PENNYMAC LOAN SERVICES, LLC

Plaintiff,

vs.

GIAVANNA HOMEOWNERS ASSOCIATION,
DOE INDIVIDUALS I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

Defendants.

GIAVANNA HOMEOWNERS ASSOCIATION,

Third party plaintiff,

vs.

NEVADA ASSOCIATION SERVICES, INC.,

Third party defendant.

Case No.: 2:15-cv-02072-JCM-CWH

**STIPULATION AND ORDER OF FINAL
JUDGMENT CONFIRMING NON-
EXTINGUISHMENT OF DEED OF
TRUST**

Plaintiff PennyMac Loan Services, LLC, by and through its attorneys of record Akerman LLP, Defendant/Third-Party Plaintiff Giavanna Homeowners Association, by and through its attorneys of record Boyack Orme & Anthony and Nevada Association Services, Inc. by and through its counsel Brandon Wood, Esq. hereby stipulate as follows:

1. This matter relates to real property located 3525 Discovery Downs Court, North Las Vegas, Nevada 89081 (the **Property**). The Property is more specifically described as:

1 **LOT 99, OF FINAL MAP OF RUNVEE HOBART UNIT 1A, AS SHOWN BY**
2 **MAP THEREOF ON FILE IN BOOK 124 OF PLATS, PAGE 10, IN THE**
3 **OFFICE OF THE COUNTY RECORDED OF CLARK COUNTY, NEVADA;**
 APN 123-31-111-033

4 2. PennyMac is the beneficiary of record of a Deed of Trust that encumbers the Property
5 and was recorded against the Property in the Clark County Recorder's office on March 21, 2008, as
6 Instrument No. 20080321-0004668 (the **Deed of Trust**), to secure a promissory note in the original
7 amount of \$236,476.00 executed by Antwane Scott.

8 3. On April 5, 2012, a foreclosure deed was recorded as Instrument
9 No. 201204050000673 of the Official Records of Clark County, Nevada (the **HOA Foreclosure**
10 **Deed**), reflecting that Giavanna credit bid on the Property at a foreclosure sale of the Property
11 conducted on March 30, 2012 (the **HOA Sale**). Giavanna has not transferred its interest in the
12 Property and is still the title holder of record.

13 4. The parties have entered a confidential settlement agreement in which they have settled
14 all claims between them in this case. This stipulation and order applies to the matters addressed in
15 this particular case only and has no relevance to any other matter.

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5. The Deed of Trust survived and was not extinguished in any capacity by the HOA Sale or the HOA Foreclosure Deed. The Deed of Trust remains a valid encumbrance against the Property following the recording of the HOA Foreclosure Deed, and Giavanna's interest in the Property is subject to the Deed of Trust.

Dated: October 10, 2017

AKERMAN LLP

/s/ Tenesa S. Scaturro

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Attorneys for Plaintiff

PennyMac Loan Services, LLC

Dated: October 10, 2017

BOYACK, ORME & ANTHONY

/s/ Christopher Anthony

CHRISTOPHER ANTHONY

Nevada Bar No. 9748

401 N. Buffalo Drive #202

Las Vegas, Nevada 89145

Attorneys for Defendant/Third-Party Plaintiff

Giavanna Homeowners Association

Dated: October 10, 2017

NEVADA ASSOCIATION SERVICES, INC.

/s/ Brandon Wood

BRANDON WOOD, ESQ.

Nevada Bar No.

6224 West Desert Inn Road

Las Vegas, NV 89146

Attorney for Third-Party Defendant

Nevada Association Services, Inc.

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ORDER

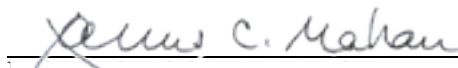
Based on the above stipulation of the parties, and good cause appearing therefore,

IT IS ORDERED that the Deed of Trust recorded in the Official Records of Clark County, Nevada against the real property located 3525 Discovery Downs Court, North Las Vegas, Nevada 89081 on March 21, 2008, as Instrument No. 20080321-0004668 was not extinguished, impaired, or otherwise affected by the foreclosure sale of the Property conducted by Giavanna on March 30, 2012 or the recording of the HOA Foreclosure Deed in the Official Records of Clark County, Nevada, on April 5, 2012, as Instrument No. 201204050000673, reflecting that Giavanna acquired the Property at the foreclosure sale. Giavanna's ownership interest in the Property is subject to the Deed of Trust.

IT IS FURTHER ORDERED that PennyMac shall be entitled to record this Stipulation and Order Confirming Validity of Deed of Trust in the Official Records of Clark County, Nevada in accordance with the rules of the Recorder's Office.

IT IS FURTHER ORDERED that this order constitutes the final judgment of this Court, resolving all claims in this case with prejudice, each party to bear its own fees and costs.

DATED this 16th day of October, 2017.


UNITED STATES DISTRICT JUDGE